

REMARKS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 2-17 are presently active in this case. The present Amendment amends Claims 2-17 and cancels Claim 1.

In the outstanding Office Action, Claims 1, 5-8 and 11-13 were rejected under 35 U.S.C. § 102(e) as anticipated by Ying et al. (U.S. 6,307,511, herein referred as "Ying"). Claims 9 and 10 were rejected under 35 U.S.C. §103(a) as unpatentable over Ying in view of Vannatta et al. (U.S. 6,043,786, herein referred as "Vannatta"). Claims 14 and 15-17 are rejected under 35 U.S.C. 103(a) as unpatentable over Ying in view of Dent (U.S. 5,423,074).

However, Claims 2-4 were indicated as being allowable if rewritten into independent form.

Applicants acknowledge with appreciation the indication of allowable subject matter. In response, Claim 1 is cancelled and Claims 2 and 3 are rewritten in independent form, including all the features of original independent Claim 1.

The present amendment amends Claims 2-17 to correct minor informalities.

In response to the rejection of Claims 8 and 11-13 under 35 U.S.C. § 102(e), Applicants respectfully request reconsideration of this rejection and traverse the rejection as discussed next.

Briefly recapitulating, Applicants' independent Claim 8 relates to a portable radio including a casing, a cover attached to the casing, a dipole antenna attached to the cover, a power supply for supplying power to the dipole antenna; and a resonator installed in the casing, wherein the resonator is placed in a position close to the dipole antenna when the cover is closed.

As explained in Applicants' specification at page 2, lines 16-21 with corresponding Fig. 1B, Applicants' invention improves upon conventional dipole antennas by ensuring a wide band use by properly controlling the power supply means in response to the opening/closing of the cover. The claimed invention thus leads to reduced return loss of the frequency band.¹

Turning now to the applied prior art, the Ying patent discloses a portable electronic device with an antenna system for at least two different frequency bands. However, Ying fails to teach a resonator placed in a position close to a dipole antenna when the cover is closed. The Ying patent merely mentions the presence of a grounded signal generator² and that in a real-world application, the signal generator represents the radio circuitry in the mobile phone. Ying is entirely silent about the location of the signal generator inside the casing. A signal generator, as taught by Ying, is not a resonator that is placed in a position close to the dipole antenna when the cover is closed.

The cited prior art fails therefore to teach or suggest every feature recited in Applicants' Claims 8 and 11-13, so that these claims are believed to be allowable. Accordingly, Applicants respectfully traverse and request reconsideration of the rejection of Claims 8 and 11-13.

In response to the rejection of Claims 9 and 10 under 35 U.S.C. § 103(a), in view of the above arguments regarding Claim 8, the cited prior art fails to teach or suggest every feature recited in Applicants' Claims 9 and 10, so that Applicants respectfully traverse and request reconsideration of the rejection of Claims 9 and 10.

In response to the rejection of Claims 14 and 15-17 under 35 U.S.C. § 103(a), Applicants respectfully request reconsideration of this rejection and traverse the rejection as discussed next.

¹ See Applicants' specification at page 2, lines 11-16 and in Fig. 2A and 2B.

² See Ying in column 3, lines 56-64 and in Fig. 3.

The Ying patent discloses a portable electronic device with an antenna system for at least two different frequency bands. However, Ying fails to teach an open/close detection means. On the contrary, Ying explicitly teaches that when the flip (cover) is in its opened position, the antenna 40 may operate by using one of the antenna portions 42 and 44 in different frequency bands depending on the frequency of the current supplied from the radio circuitry inside the apparatus housing 12.³ Ying additionally teaches that when the flip (cover) is closed (folded up along the apparatus housing 12), the antenna may still be operative in at least the higher frequency band.⁴ In other words, Ying's antenna has an impedance that changes depending on the position of the flip (cover). The Ying patent does not teach or suggest any device, means or embodiment able to detect if the flip (cover) is open or closed. On the contrary, Ying discloses that a multi-band antenna with two or more resonant frequencies is obtained and that the antenna may operate as a multi-band antenna without any impedance matching network or means for switching between the frequency bands.⁵ Antenna portions used for different frequency bands, as taught by Ying, are **not** open/close detection means for detecting the opening/closing of the cover.

The outstanding Office Action relies on the Dent patent for the teaching of an open/close detection means and rejects Applicants' Claims 14 and 15-17 based on the proposition that the combination of Ying and Dent discloses the features of these claims.⁶ Applicants respectfully submit that the Dent patent fails to disclose the above feature related to an open/close detection means. Therefore, even if the combination of Ying and Dent patents is assumed to be proper, the combination fails to teach every element of the claimed invention. In particular, the combination fails to teach the claimed open-close detection means for detecting the opening/closing of said cover and also fails to disclose the first

³ See Ying in column 4, lines 23-27 and in Fig. 2.

⁴ See Ying in column 4, lines 27-31.

⁵ See Ying in column 3, line 65 to column 4, line 6.

⁶ See outstanding Office Action from page 9, lines 9.

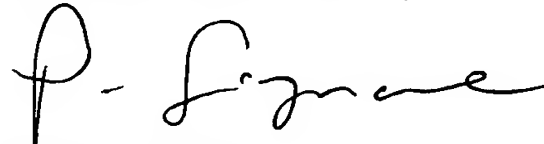
switch making a switchover *based upon* the results of detection by the open-close detection means. Accordingly, Applicants respectfully traverse, and request reconsideration of, this rejection of Claims 14 and 15-17 based on these patents.⁷

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 2-17 is earnestly solicited.

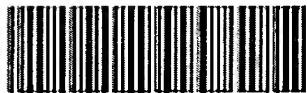
Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicant's undersigned representative at the below listed telephone number.

Respectfully submitted,

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⁷ See MPEP 2142 stating, as one of the three "basic criteria [that] must be met" in order to establish a *prima facie* case of obviousness, that "the prior art reference (or references when combined) must teach or suggest all the claim limitations," (emphasis added). See also MPEP 2143.03: "All words in a claim must be considered in judging the patentability of that claim against the prior art."